

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

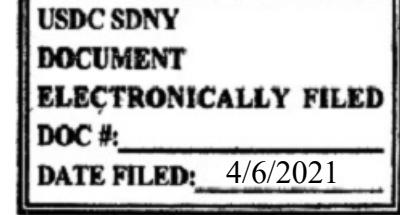
NELSON ROSARIO,

Plaintiff,

-against-

EL NUEVO AMANECER REST. CORP., et al.,

Defendants.



19-CV-6789 (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

The Court has received and reviewed plaintiff's letter-application dated April 3, 2021 (Dkt. No. 46) (the April 3 Letter), seeking Judge Moses's approval of the parties' proposed Settlement Agreement and Release (Dkt. No. 46-1) (the Agreement) pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015). The Court notes that defendant Germania Bello's limited-scope pro bono counsel (*see* Dkt. No. 39) does not appear on the Court's electronic docket as a recipient of automatic ECF notifications. Therefore, although the April 3 Letter states that it was served on "Defense Counsel via ECF," that did not happen. Plaintiff must promptly serve defendants by other means and file proof of such service on the docket.

The Court further notes that, although the April 3 Letter is addressed to Judge Moses, the parties have not consented to her jurisdiction for review and approval of their Agreement.

Dated: New York, New York  
April 6, 2021

**SO ORDERED.**

A handwritten signature in blue ink, appearing to read "Barbara Moses".

**BARBARA MOSES**  
**United States Magistrate Judge**